

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MAKE JS-6

CIVIL MINUTES -- GENERAL

Case No. CV-13-6689-R

Date: NOV. 5, 2013

Title: HSBC BANK USA NAT'L ASSOCIATION -V- TORREY M. WILLIAMS et al

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PRESENT: HONORABLE MANUEL L. REAL, JUDGE

William Horrell
Courtroom Deputy

None Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

ATTORNEYS PRESENT FOR DEFENDANTS:

None

None

PROCEEDINGS: MINUTE ORDER (IN CHAMBERS) SUA SPONTE REMANDING ACTION TO
STATE COURT

A district court must remand a case to state court “if at any time before final judgment it appears that the district court lacks subject matter jurisdiction.” 28 U.S.C. 1447(c). Because this is, at base, an unlawful detainer action, a federal question does not present itself. See Indymac Federal Bank, F.S.B. v. Ocampo, No. CV 09-2337, 2010 WL 234828, *2 (C.D. Cal. Jan. 13, 2010) (sua sponte remanding an action to state court for lack of subject matter jurisdiction where plaintiff’s complaint contained only an unlawful detainer claim). As such, this case is now REMANDED TO STATE COURT. This is the third time these defendants have improperly removed the same unlawful detainer (now a forcible retainer) action, in order to delay state court proceedings. Defendants were put on notice by the first two sua sponte remands by this Court, that they could not remove this action to the district court. Defendants, and their counsel, are put on notice that any further improper removals of this action may result in monetary sanctions being imposed against them.

IT IS SO ORDERED.